

36.11.435 THREATENED AND ENDANGERED SPECIES - CANADA LYNX

(1) The department administrative area offices where lynx rules apply to management activities include the department's northwest land office, southwest land office, central land office and northeast land office.

(2) Specific habitat elements recognized as important for lynx that occur within preferred lynx habitat types include:

- (a) denning;
- (b) mature foraging;
- (c) young foraging; and
- (d) temporary non-lynx habitat.

(3) The department shall generally manage for lynx habitat through the coarse filter approach, consistent with the emulation of natural processes, as described in ARM 36.11.404.

(a) When specifically assessing lynx habitat for stand identification, management, and retention the department may consider:

- (i) CWD abundance;
- (ii) proximity to foraging habitat;
- (iii) proximity to denning habitat;
- (iv) proximity to class 1 streams;
- (v) habitat connectivity; and
- (vi) firewood cutting risk.

(4) The department shall not salvage within stands identified as necessary to meet denning habitat requirements.

(5) In areas considered for pre-commercial thinning in lynx habitat, the department shall delay thinning in young foraging habitat stands with stem density greater than or equal to 4,000 per acre until the average crop tree height is greater than or equal to 15 feet or until lower limbs have evanesced up to approximately six feet high. Post-thinning, the department shall consider these stands other habitat for a minimum of 10 years post-treatment.

(6) The department shall:

- (a) minimize construction of new roads;
- (b) incorporate use of temporary roads; and

(c) obstruct or obliterate unnecessary existing roads in lynx habitat.

(7) When conducting forest management activities on blocked portions of the Stillwater, Swan River or Coal Creek state forests the department shall adhere to the following:

(a) The department shall identify and retain denning habitat on approximately 5% of the total lynx habitat acreage (sum of denning, mature foraging, young foraging, and temporary non-lynx habitat) within each applicable grizzly bear BMU sub-unit in patches greater than or equal to five acres (larger preferable).

(b) The department shall, on a BMU sub-unit basis, manage for 10% of the total lynx habitat acreage to be in a mixture of mature foraging and young foraging habitat.

(i) The department may salvage in mature foraging stands, provided that understory sapling densities are not reduced below the moderately-stocked condition, and CWD abundance is enhanced or not appreciably altered.

(8) When conducting forest management activities on all other department lands administered by the department's northwest land office, southwest land office, central land office and northeast land office, the department shall adhere to the following:

(a) The department shall maintain a minimum of five acres of denning habitat, where present, on parcels containing appreciable amounts of lynx habitat as determined at the project level.

(b) The department shall evaluate habitat suitability and retention of mature foraging habitat on parcels containing lynx habitat at the project level.

(i) On parcels containing appreciable amounts of lynx habitat in areas where broader landscape habitat conditions allow, the department shall retain approximately 10% of the lynx habitat acreage in mature or young foraging habitat. (History: 77-1-202, 77-1-209, 77-5-201, 77-5-204, MCA; IMP, 77-5-116, 77-5-204, 77-5-206, 77-5-207, MCA; NEW, 2003 MAR p. 397, Eff. 3/14/03.)